

1
2 UNITED STATES DISTRICT COURT

3 DISTRICT OF MONTANA

4 * * *

5 DAVID WAYNE SCONCE,

6 Plaintiff,

7 v.

8 THOMAS J. KRAG, et al.,

9 Defendants.

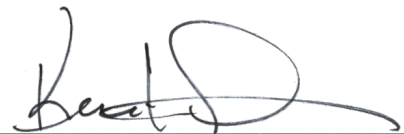
Case No. 9:13-CV-281-KJD-NJK

ORDER

10
11 Before the Court is the Magistrate's Report and Recommendation (#34) that Plaintiff
12 Sconce's claims should be dismissed without prejudice. Sconce timely objected (#36), and the
13 time for Defendants to reply has expired.

14 The Court's obligation is "to arrive at its own independent conclusion about those
15 portions of the magistrate's report to which objections are made." United States v. Remsing, 874
16 F.2d 614, 618 (9th Cir. 1989). Specifically, the Court is to engage in "de novo" review of the
17 findings and recommendations objected to. 28 U.S.C. § 636(b)(1)(C) (2012). The Court has
18 completed its de novo review and **HEREBY ADOPTS** and **AFFIRMS** the Magistrate's
19 Findings and Recommendation (#34). Accordingly, Plaintiff Sconce's claims are **HEREBY**
20 **DISMISSED** without prejudice and this case is **CLOSED**. Plaintiff has been given ample
21 opportunity to file a proper complaint, but no such filing has been made to date.

22
23 DATED this 14th day of April 2014.

24
25 

26 Kent J. Dawson
United States District Judge